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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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DAVID NORKIN,

Plaintiff,

-against-

DLA PIPER RUDNICK GRAY CARY, LLP,

Defendant.

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Case No. 05 CV 9137 (DC)

STIPULATION

IT IS HEREBY STIPULATED AND AGREED by and between counsel for the respective parties herein as follows:

1. The plaintiff will file his motion to remand this action to state court on or before November 23, 2005.

2. The plaintiff will file his response to defendant's motion to dismiss the action on or before December 23, 2005.

3. The defendant will file its response to plaintiff's motion to remand and defendant's reply in connection with its motion to dismiss on or before January 13, 2006.

4. The plaintiff will file his reply with respect to the motion to remand on or before January 27, 2006.

5. Both parties request oral argument at a date and time convenient to the court.

6. Notwithstanding the foregoing, plaintiff reserves the right to suggest to the Court that plaintiff's motion to remand

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be decided before any responsive papers are filed in connection with the motion to dismiss.

Dated: New York, New York
November 22, 2005

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SO ORDERED:

Denise Cote

Honorable Denise Cote
Judge, U.S.D.C.

November 28, 2005